

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ALICE LAZARUS HABER,

Plaintiff,

**RULE 7.1 STATEMENT**

- against -

NATIONAL RAILROAD PASSENGER  
CORPORATION d/b/a AMTRAK, METROPOLITAN  
TRANSPORTATION AUTHORITY, LONG ISLAND  
RAILROAD COMPANY and ABM INDUSTRIES  
INC.,

Defendants.  
-----X

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure and to enable Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for defendant National Railroad Passenger Corporation d/b/a Amtrak certifies that the following are parent companies, subsidiaries or affiliates of Amtrak which have any outstanding securities in the hands of the public:

Amtrak, a corporation providing intercity passenger rail service, has no parent company. However, American Premiere Underwriters, Inc. and Burlington Northern Santa Fe Railroad Company own 10% or more of Amtrak's stock.

These representations are made in order that the judges of this court may determine the need for recusal.

Dated: New York, New York  
August 21, 2007

Respectfully submitted,

LANDMAN CORSI BALLAIN & FORD P.C.

By: \_\_\_\_\_

Ronald E. Joseph (RJ9302)  
Attorneys for Defendant Amtrak  
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TO: Daniel T. Leav (5145)  
LEAV & STEINBERG, LLP.  
Attorneys for Plaintiff  
120 Broadway, 18<sup>th</sup> Floor  
New York, NY 10271  
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File No.: 051808

**AFFIDAVIT OF SERVICE BY MAIL**

STATE OF NEW YORK     )  
                                      ) ss.:  
COUNTY OF NEW YORK    )

**MIRIAM DEIKUN**, being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides at QUEENS, NEW YORK.

That on the 21<sup>st</sup> day of August, 2007 deponent served the within  
**RULE 7.1 STATEMENT**

upon

David T. Leav  
Leav & Steinberg, LLP  
120 Broadway, 18<sup>th</sup> Floor  
New York, New York 10271

attorneys in this action, at the addresses designated by said attorneys for that purpose by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States post office department within the State of New York.

  
\_\_\_\_\_  
Miriam Deikun

Sworn to before me this  
21<sup>st</sup> day of August, 2007

  
\_\_\_\_\_  
Notary

JELENA BRIGIDA  
Notary Public, State of New York  
No. 01BR6156932  
Qualified in Kings County  
Commission Expires Dec. 4, 2010